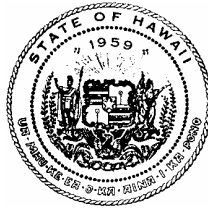


LINDA LINGLE  
GOVERNOR



DARWIN L.D. CHING  
DIRECTOR  
COLLEEN Y. LaCLAIR  
DEPUTY DIRECTOR

STATE OF HAWAII  
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS  
**Hoisting Machine Operators Advisory Board**  
830 Punchbowl Street  
Honolulu, Hawaii 96814  
PH: (808) 521-3019 Fax: (808) 585-0422

Board Members  
Tom Vendetta, Chair  
Roy Akamine  
Ralph Cushnie  
Daniel Nelson  
  
Lora Contreras,  
Executive Director

***Approved 4/16/08***

Hoisting Machine Operator's Advisory Board Minutes  
Wednesday, March 5, 2008  
1:30 p.m.  
Department of Labor & Industrial Relations Office  
HIOSH Training Room  
830 Punchbowl Street #425  
Honolulu, Hawaii 96814

Members in Attendance: Roy Akamine, Tom Vendetta, Ralph Cushnie, and Lora Contreras.

Guests: Director Darwin Ching and Jamesner Dumlao/DLIR, Ed Ventula, Sinclair Taniguchi, Ernie Santiago/Hawaii Laborers Training, Al Lardizabol/Laborers Union, Eric Pagan/Retired Licensing Examiner, Edward Sanchez/Retired Federal License Examiner, Antonio Ramirez/Retired Federal License Examiner, Gerard Lam/Deputy AG, James Hardway/Assistant to the Director.

Absent: Daniel Nelson

Call to order: Quorum was met. The meeting was called to order by Chair Vendetta at 1:00 p.m.

Minutes of November 21, 2007.

Minutes were approved as amended:....Absent: Ralph Cushnie.

New Business

a. DLIR enforcement update (Enforcement Guidelines)

Deputy AG Lam updated the community on steps the department had taken to complete guidelines to start enforcement on non-compliant companies using crane operators who do not have State certification.

Federal OSHA needed to be informed of the certification rules and HIOSH compliance officers trained and guidelines developed before enforcement can begin. However, the department reserves the right to announce further changes to these guidelines, as appropriate. Upon completion, the guidelines will be available to the public for viewing on the department's website.

The department will give consideration to operators who have not kept up with their certification. Compliance officers will determine whether the operator is working in "construction" and may require their companies to produce valid hours of training documents.

Penalties for non-compliance were detailed. The proposed draft guidelines covers in detail the process for citing non-compliant companies. Operators may have the option to apply for a special certification if they do not have NCCCO certification giving them two years to work toward NCCCO and State certification.

(DRAFT Guidelines Governing Enforcement of the Hoisting Machine Operators Standards – file copy attached to minutes)

b. DLIR Notification to public, enforcement implementation date

Director Ching said the department would continue to research and amend the guidelines where necessary. However the department will move forward in 30 days to begin enforcement, targeting Monday, April 7, 2008 as the date enforcement would begin.

A public notice will be posted on the website and James Hardway will issue a press release. A footnote to the guidelines will read...Internal guidelines subject to change.

Compliance officers will begin checking for operator certification during routine inspections of sites with cranes, if there is a crane accident or incident and/or if DLIR receives a complaint of a company using non-certified operators.

c. DLIR update on proposed amendments to Chapter 48 (housekeeping and tower cranes)

Chair Vendetta explained that the proposed admin rules amendments were primarily housekeeping. The only major change was to add certification requirements for tower cranes. Jamesner Dumlao informed the board the rules would be proposed to the Small Business Regulatory Review Board on March 19, and that DLIR anticipated a public hearing sometime during the week of April 15-19, 2008.

d. HIOSH Website (new look to include HMOAB materials)

The board unanimously approved Chair Vendetta to work with Casey Cho (DLIR webmaster) to further improve and develop the HMOAB website.

1. quick links to HMOAB from HIOSH site
2. rules and laws listed
3. fact sheet
4. current board member names
5. agenda, minutes and annual reports
6. miscellaneous board decisions and responses

e. Governor's Pac Rim Conference

The board unanimously approved Chair Tom Vendetta's intention to speak on behalf of the HMOAB regarding the Rules at the Governor's Pacific Rim Conference in May 2008.

Community Concerns:

Mr. Wallace Sanchez from PHNSY & IMF submitted to the board an outline of a proposal for Crane Certification and Record Keeping training for all qualified crane operators in the State of Hawaii.

Mr. Sinclair Taniguchi from Universal Crane Services submitted his proposal on November 9, 2008 with projected costs, but noted that costs may be higher.

Chair Tom Vendetta will use the proposals as a guide to request funds from the director for training purposes which may require procurement via the State process. The board unanimously approved the concept to help fund training for crane operator certification using certification fees. It was suggested that penalty fees and company contributions may be solicited to help with this training.

Director Ching asked Deputy AG Lam to check if the board is authorized to use funds to train crane operators and report back at the next meeting.

Director's Report:

The department is currently investigating a crane incident (dropping a load on February 1, 2008). The damage was in excess of \$25,000 to structure and the crane. The Manitowac 4100 crawler crane with 200 ft lattice boom and 30 ft jib, lifting pre-cast weighing approximately 56,300 lbs. exceeded its lifting capacity. The operator's state certification expired in March 2007.

Executive Session: Tom Vendetta moved, seconded by Roy Akamine to recess and meet in Executive Session. (Minutes attached)

Correspondence: None

Announcements: Next board meeting April 16, 2008 @1:30 p.m..

Adjournment: Chair Vendetta adjourned the meeting at 3:35 p.m.